

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
v. ) Case No. 04-cr-10379-JLT  
PETERSON DUMORNAY and )  
JUDE CELESTIN )

## DISMISSAL OF INDICTMENT

The government respectfully dismisses, pursuant to Fed. R. Crim. P. 48(a), the Indictment in the above referenced case against defendants PETERSON DUMORNAY and JUDE CELESTIN. As grounds therefor, the government states that the defendants, along with eight co-defendants, have been named in another indictment, criminal number 05-10110, which encompasses the criminal activity in the instant case. As a consequence, it is in the interests of justice to dismiss the Indictment in this case so that the defendants may be prosecuted solely on the other Indictment.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By: /s/ Seth P. Berman  
SETH P. BERMAN  
Assistant U.S. Attorney

January 31, 2006

LEAVE TO FILE GRANTED:

  
HON. JOSEPH L. TAURO 2/2/06

United States District Judge

Dated: \_\_\_\_\_

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the person listed below a copy of the foregoing document by depositing in the United States mail a copy of same in an envelope bearing sufficient postage for delivery:

Charles Rankin  
Rankin and Sultan  
One Commercial Wharf North  
Boston, MA 02110

This 12<sup>th</sup> day of August 2005.

/s/ Seth P. Berman  
Seth P. Berman  
ASSISTANT U.S. ATTORNEY